

RESOLUTION NO. A-_____

USE PERMIT NO. 134A

1 WHEREAS, Ridge Development Company and Southview, Inc. have
2 submitted an application in accordance with Section 27.27.080 of the Lincoln Municipal
3 Code designated as Use Permit No. 134A for authority to construct approximately
4 44,875 sq. ft. of office floor area, including waivers to allow zero setbacks on certain lots
5 and to reduce the front yard setback along South 27th Street, on property generally
6 located northeast of the intersection of South 27th Street and Yankee Hill Road, and
7 legally described to wit:

8 A portion of Outlot "E" Pine Lake Heights South 4th Addition,
9 located in the Southwest Quarter of Section 19, Township 9
10 North, Range 7 East of the 6th P.M., City of Lincoln,
11 Lancaster County, Nebraska, and more particularly
12 described as follows:
13

14 Commencing at the southwest corner of said Southwest
15 Quarter; thence on an assumed bearing of north 00 degrees
16 02 minutes 09 seconds west along the west line of said
17 Southwest Quarter, a distance of 1162.79 feet to a point,
18 said point being the true point of beginning; thence
19 continuing north 00 degrees 02 minutes 09 seconds west
20 along said west line, a distance of 227.93 feet to a point;
21 thence north 89 degrees 57 minutes 52 seconds east, a
22 distance of 324.56 feet to a point of curvature; thence along
23 a curve in a counter clockwise direction, having a radius of
24 1,540.00 feet, arc length of 169.87 feet, delta angle of 06
25 degrees 19 minutes 11 seconds, a chord bearing of north 86
26 degrees 48 minutes 16 seconds east, and a chord length of
27 169.78 feet to a point of curvature of a non tangent curve,
28 said point being on the center line of Grainger Parkway right-
29 of-way; thence along a curve in a clockwise direction, having
30 a radius of 300.00 feet, arc length of 144.61 feet, delta angle
31 of 27 degrees 37 minutes 10 seconds, a chord bearing of
32 south 50 degrees 06 minutes 16 seconds east along said

1 center line, and a chord length of 143.22 feet to a point of
2 reverse curvature; thence along a curve in a counter
3 clockwise direction, having a radius of 800.00 feet, arc
4 length of 398.51 feet, delta angle of 28 degrees 32 minutes
5 28 seconds, a chord bearing of south 50 degrees 33
6 minutes 55 seconds east along said center line, and a chord
7 length of 394.40 feet to a point; thence south 23 degrees 30
8 minutes 40 seconds west, a distance of 148.95 feet to a
9 point; thence along a curve in a clockwise direction, having a
10 radius of 200.00 feet, arc length of 68.31 feet, delta angle of
11 19 degrees 34 minutes 10 seconds, a chord bearing of
12 south 33 degrees 17 minutes 45 seconds west, and a chord
13 length of 67.98 feet to a point, thence north 46 degrees 55
14 minutes 10 seconds west, a distance of 67.29 feet to a
15 point, thence north 52 degrees 39 minutes 47 seconds west,
16 a distance of 316.32 feet to a point, thence north 15 degrees
17 35 minutes 02 seconds west, a distance of 45.78 feet to a
18 point of a non tangent curve; thence along a curve in a
19 counter clockwise direction, having a radius of 50.00 feet,
20 arc length of 52.65 feet, delta angle of 60 degrees 19
21 minutes 54 seconds, a chord bearing of north 45 degrees 45
22 minutes 00 seconds west, and a chord length of 50.25 feet
23 to a point of tangency; thence north 75 degrees 54 minutes
24 57 seconds west, a distance of 173.43 feet to a point,
25 thence south 89 degrees 57 minutes 52 seconds west, a
26 distance of 55.43 feet to a point; thence south 00 degrees
27 29 minutes 28 seconds west, a distance of 60.80 feet to a
28 point; thence south 89 degrees 57 minutes 52 seconds
29 west, a distance of 238.59 feet to the point of beginning,
30 said tract contains a calculated area of 198,213.46 square
31 feet or 4.5504 acres, more or less;

32 WHEREAS, the real property adjacent to the area included within the site
33 plan for this office and commercial space will not be adversely affected; and

34 WHEREAS, said site plan together with the terms and conditions
35 hereinafter set forth are consistent with the intent and purpose of Title 27 of the Lincoln
36 Municipal Code to promote the public health, safety, and general welfare.

37 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of

Lincoln, Nebraska:

That the application of Ridge Development Company and Southview, Inc., hereinafter referred to as "Permittee", to construct approximately 44,875 sq. ft. of office floor area on the property legally described above be and the same is hereby granted under the provisions of Section 27.27.080 of the Lincoln Municipal Code upon condition that construction and operation of said office space be in strict compliance with said application, the site plan, and the following additional express terms, conditions, and requirements:

1. This permit approves 44,875 square feet of office floor area.
2. A waiver of the required front, rear and side yard setbacks to allow 0' setbacks for all yards for Lots 5-8, Block 2 is hereby approved.
3. A waiver to reduce the front yard setback from 50 feet to 40 feet along South 27th Street is hereby approved.
4. Before receiving building permits:
 - a. The Permittee must submit an acceptable, revised and reproducible final plan including five copies.
 - b. The construction plans must conform to the approved plans.
 - c. Final plats within the area of this Use Permit must be approved by the City.
5. Before occupying the buildings, all development and construction must be completed in conformance with the approved plans.
6. All privately-owned improvements must be permanently maintained by the owner or an appropriately established property owners association approved by

1 the City Attorney.

2 7. The site plan approved by this permit shall be the basis for all
3 interpretations of setbacks, yards, locations of buildings, location of parking a circulation
4 elements, and similar matters.

5 8. The terms, conditions, and requirements of this resolution shall be
6 binding and obligatory upon the Permittee, its successors and assigns. The building
7 official shall report violations to the City Council which may revoke this use permit or
8 take such other action as may be necessary to gain compliance.

9 9. The Permittee shall sign and return the City's letter of acceptance
10 to the City Clerk within 30 days following approval of this use permit, provided, however,
11 said 30-day period may be extended up to six months by administrative amendment.
12 The City Clerk shall file a copy of the resolution approving this use permit and the letter
13 of acceptance with the Register of Deeds, filing fees therefor to be paid in advance by
14 the Permittee.

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ____ day of _____, 2003:

Mayor